

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
IN HUNTINGTON

IN RE: DENNIS RAY JOHNSON, II,
APPALACHIAN MINING AND RECLAMATION, L.L.C.,
DJWVI, LLC,
DJWV2, LLC,
ELKVIEW RECLAMATION & PROCESSING LLC,
GREEN COAL, LLC,
JOINT VENTURE DEVELOPMENT, LLC,
THE LITTLE KENTUCKY ELK, LLC,
MOUSSE PROCESSING, LLC,
PRODUCER'S COAL, INC.,
PRODUCER'S LAND, LLC,
REDBUD DOCK, LLC,
SOUTHERN MARINE SERVICES LIMITED LIABILITY COMPANY,
SOUTHERN MARINE TERMINAL, LLC, SABBATICAL, Inc.,
Debtors-in Possession.

DENNIS RAY JOHNSON, II,

Appellant,

CIVIL ACTION NO. 3:19-0284
BANKRUPTCY NO. 3:16-30227

PEOPLES BANK,
PATRICK S. CASSIDY,
THOMAS M. CUNNINGHAMN,
MARTIN P. SHEEHAN,
THOMAS H. FLUHARTY, Trustee,

Appellees.

AGREED ORDER DISMISSING APPEAL

On a former day came Dennis Ray Johnson, II Denise Johnson, Appellants and Thomas H. Fluharty, an Appellee and Peoples Bank an Appellee and presented this Court this Order dismissing this Appeal in consideration of the United States Bankruptcy Court for the Southern District of West Virginia

approval of a settlement which has resolved the issues appealed and jointed requested caused the appeal to be withdrawn and dismissed.

The Court for good cause and consideration of an order entered September 25, 2019, Docket No. 1810 by the United States Bankruptcy Court for the Southern District of West Virginia in the underlying action and case number referenced above this Court accepts the request by the Appellant to withdraw the appeal.


With the consent of the Appellees the Court dismisses the appeal with prejudice.

The Court directs the Clerk to send a copy of this Order to counsel of record and any unrepresented parties

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ENTER: October 8, 2019


ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE

/s/ Spencer D. Elliott

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